

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	DOCKET NO. 1:19-cr-139
v.)	
)	
ANTHONY BRETT BANKS)	COLLIER/LEE

MOTION FOR PRETRIAL DETERMINATION OF COMPETENCY OF THE DEFENDANT

Comes now the Defendant by and through appointed Counsel, and would move this Honorable Court pursuant to 18 U.S.C. §4241 (a) to have a hearing to determine the Defendant's competency and request a psychological examination and report to be prepared pursuant to 18 U.S.C. §4241 (b) to be filed with the Court prior to the hearing. In support of this Motion, Counsel would show that the Defendant has exhibited odd behavior, memory lapses, while in custody pursuant to the charges that are pending in this Court.

Counsel has been in contact with the Defendant's parents, counsel has received information and confirmed that Mr. Banks was institutionalized beginning at the age of nine (9) and continuing until eighteen (18) years of age. Further that Mr. Bank's was placed in at least four (4) separate (psychiatric/treatment) facilities in four (4) different states before the age of eighteen (18).

Counsel is in the process of making request of this Honorable Courts to make Juvenile Courts records available to him in this matter.

We would request this Honorable Court to Order a psychological evaluation of the Defendant to determine if he is competent to stand trial.

Further, we would request that this Honorable Court Order this evaluation to determine whether the Defendant was competent at the time of the act Pursuant to 18 U.S.C. §4242.

Respectfully submitted,

s/ John Allen Brooks
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CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2020 a copy of the foregoing Motion by Defendant was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.